

Calendar No. 272

103D CONGRESS
1ST SESSION

H. R. 3355

A ACT

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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AN ACT

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COMMUNITY POLICING; “COPS ON THE BEAT”.**

4 (a) IN GENERAL.—Title I of the Omnibus Crime
5 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
6 et seq.) is amended by—

7 (1) redesignating part Q as part R;

1 (2) redesignating section 1701 as section 1801;

2 and

3 (3) inserting after part P the following new

4 part:

5 **“PART Q—PUBLIC SAFETY AND COMMUNITY**

6 **POLICING; ‘COPS ON THE BEAT’**

7 **“SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND**

8 **COMMUNITY POLICING GRANTS.**

9 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
10 eral is authorized to make grants to States and units of
11 local government, and to other public and private entities,
12 to increase police presence, to expand and improve cooper-
13 ative efforts between law enforcement agencies and mem-
14 bers of the community to address crime and disorder prob-
15 lems, and otherwise to enhance public safety.

16 “(b) REHIRING AND HIRING GRANT PROJECTS.—
17 Grants made under the authority of subsection (a) of this
18 section may be used for programs, projects, and other ac-
19 tivities to—

20 “(1) rehire law enforcement officers who have
21 been laid off as a result of State and local budget
22 reductions for deployment in community-oriented po-
23 licing; and

24 “(2) hire and train new, additional career law
25 enforcement officers (including cadets and trainees)

1 for deployment in community-oriented policing
2 across the Nation.

3 “(c) ADDITIONAL GRANT PROJECTS.—Grants made
4 under the authority of subsection (a) of this section also
5 may include programs, projects, and other activities to—

6 “(1) increase the number of law enforcement
7 officers involved in activities that are focused on
8 interaction with members of the community on
9 proactive crime control and prevention by redeploy-
10 ing officers to such activities;

11 “(2) provide specialized training to law enforce-
12 ment officers to enhance their conflict resolution,
13 mediation, problem solving, service, and other skills
14 needed to work in partnership with members of the
15 community;

16 “(3) increase police participation in multidisci-
17 plinary early intervention teams;

18 “(4) develop new technologies to assist State
19 and local law enforcement agencies in reorienting
20 the emphasis of their activities from reacting to
21 crime to preventing crime;

22 “(5) develop and implement innovative pro-
23 grams to permit members of the community to assist
24 State and local law enforcement agencies in the pre-
25 vention of crime in the community;

1 “(6) establish innovative programs to reduce,
2 and keep to a minimum, the amount of time that
3 law enforcement officers must be away from the
4 community while awaiting court appearances;

5 “(7) establish and implement innovative pro-
6 grams to increase and enhance proactive crime con-
7 trol and prevention programs involving law enforce-
8 ment officers and young persons in the community;

9 “(8) develop and establish new administrative
10 and managerial systems to facilitate the adoption of
11 community-oriented policing as an organization-wide
12 philosophy; and

13 “(9) establish, implement, and coordinate crime
14 prevention and control programs (involving law en-
15 forcement officers working with community mem-
16 bers) with other existing Federal programs that
17 serve the community and community members to
18 better address the comprehensive needs of such com-
19 munity and its members.

20 “(d) PREFERENTIAL CONSIDERATION OF APPLICA-
21 TIONS FOR CERTAIN GRANTS.—In awarding grants under
22 this part, the Attorney General may give preferential con-
23 sideration to grants for hiring and rehiring additional ca-
24 reer law enforcement officers that involve a non-Federal

1 contribution exceeding the 25 percent minimum under
2 subsection (h) of this section.

3 “(e) TECHNICAL ASSISTANCE.—(1) The Attorney
4 General may provide technical assistance to States and
5 units of local government, and to other public and private
6 entities, in furtherance of the purposes of this part.

7 “(2) The technical assistance provided by the Attor-
8 ney General may include the development of a flexible
9 model that will define for States and units of local govern-
10 ment, and other public and private entities, definitions and
11 strategies associated with community or problem-oriented
12 policing and methodologies for its implementation.

13 “(3) The technical assistance provided by the Attor-
14 ney General may include the establishment and operation
15 of training centers or facilities, either directly or by con-
16 tracting or cooperative arrangements. The functions of the
17 centers or facilities established under this paragraph may
18 include instruction and seminars for police executives,
19 managers, trainers, and supervisors concerning commu-
20 nity or problem-oriented policing and improvements in po-
21 lice-community interaction and cooperation that further
22 the purposes of this part.

23 “(f) UTILIZATION OF DEPARTMENT OF JUSTICE OF-
24 FICES AND SERVICES.—The Attorney General may utilize

1 any office or service of the Department of Justice in carry-
2 ing out this part.

3 “(g) MINIMUM AMOUNT.—Each qualifying State, to-
4 gether with grantees within the State, shall receive in each
5 fiscal year pursuant to subsection (a) of this not less than
6 0.25 percent of the total amount appropriated in the fiscal
7 year for grants pursuant to such subsection. As used in
8 this subsection, ‘qualifying State’ means any State which
9 has submitted an application for a grant, or in which an
10 eligible entity has submitted an application for a grant,
11 which meets the requirements prescribed by the Attorney
12 General and the conditions set out in this part.

13 “(h) MATCHING FUNDS.—The portion of the costs
14 of a program, project, or activity provided by a grant
15 under subsection (a) of this section may not exceed 75
16 percent, unless the Attorney General waives, wholly or in
17 part, the requirement under this subsection of a non-Fed-
18 eral contribution to the costs of a program, project, or ac-
19 tivity. In relation to a grant for a period exceeding one
20 year for hiring or re-hiring career law enforcement offi-
21 cers, the Federal share shall decrease from year to year,
22 looking towards the continuation of the increased hiring
23 level using State or local sources of funding following the
24 conclusion of Federal support, as provided in an approved
25 plan pursuant to section 1702(c)(8) of this part.

1 “(i) ALLOCATION OF FUNDS.—The funds available
2 under this part shall be allocated as provided in section
3 1001(a)(11)(B) of this title.

4 “(j) TERMINATION OF GRANTS FOR HIRING OFFI-
5 CERS.—The authority under subsection (a) of this section
6 to make grants for the hiring and rehiring of additional
7 career law enforcement officers shall lapse at the conclu-
8 sion of six years from the date of enactment of this part.
9 Prior to the expiration of this grant authority, the Attor-
10 ney General shall submit a report to Congress concerning
11 the experience with and effects of such grants. The report
12 may include any recommendations the Attorney General
13 may have for amendments to this part and related provi-
14 sions of law in light of the termination of the authority
15 to make grants for the hiring and rehiring of additional
16 career law enforcement officers.

17 **“SEC. 1702. APPLICATIONS.**

18 “(a) IN GENERAL.—No grant may be made under
19 this part unless an application has been submitted to, and
20 approved by, the Attorney General.

21 “(b) FORM AND CONTENT OF APPLICATION.—An ap-
22 plication for a grant under this part shall be submitted
23 in such form, and contain such information, as the Attor-
24 ney General may prescribe by regulation or guidelines.

1 “(c) COMPLIANCE WITH REGULATIONS OR GUIDE-
2 LINES.—In accordance with the regulations or guidelines
3 established by the Attorney General, each application for
4 a grant under this part shall—

5 “(1) include a long-term strategy and detailed
6 implementation plan that reflects consultation with
7 community groups and appropriate private and pub-
8 lic agencies and reflects consideration of the state-
9 wide strategy under section 503(a)(1) of this part;

10 “(2) demonstrate a specific public safety need;

11 “(3) explain the locality’s inability to address
12 the need without federal assistance;

13 “(4) identify related governmental and commu-
14 nity initiatives which complement or will be coordi-
15 nated with the proposal;

16 “(5) certify that there has been appropriate co-
17 ordination with all affected agencies;

18 “(6) outline the initial and ongoing level of
19 community support for implementing the proposal
20 including financial and in-kind contributions or
21 other tangible commitments;

22 “(7) specify plans for obtaining necessary sup-
23 port and continuing the proposed program, project,
24 or activity following the conclusion of Federal sup-
25 port; and

1 “(8) if the application is for a grant for hiring
2 or rehiring additional career law enforcement offi-
3 cers—

4 “(A) specify plans for the assumption by
5 the grantee of a progressively larger share of
6 the cost in the course of time, looking towards
7 the continuation of the increased hiring level
8 using State or local sources of funding following
9 the conclusion of Federal support;

10 “(B) assess the impact, if any, of the in-
11 crease in police resources on other components
12 of the criminal justice system;

13 “(C) explain how the grant will be utilized
14 to re-orient the affected law enforcement agen-
15 cy’s mission towards community-oriented polic-
16 ing or enhance its involvement in or commit-
17 ment to community-oriented policing; and

18 “(D) ensure that, to the extent practicable,
19 grantees seek and recruit members of racial,
20 ethnic, and gender minority groups whose rep-
21 resentation in the law enforcement agency for
22 which funds are sought is less than in the gen-
23 eral population qualified for such employment
24 in such jurisdiction.

1 **“SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.**

2 “(a) IN GENERAL.—Except as provided in subsection
3 (c) or (d), an applicant for a grant under this part shall
4 submit an application to the State office designated under
5 section 507 of this title in the State in which the applicant
6 is located for initial review.

7 “(b) INITIAL REVIEW OF APPLICATION.—The State
8 office referred to in subsection (a) of this section shall re-
9 view applications for grants under this part submitted to
10 it, based upon criteria specified by the Attorney General
11 by regulation or guidelines, and rank such applications
12 based upon the criteria specified by the Attorney General.
13 The State office referred to in subsection (a) of this sec-
14 tion shall submit the list along with all grant applications
15 and supporting materials received to the Attorney Gen-
16 eral.

17 “(c) DIRECT APPLICATION TO THE ATTORNEY GEN-
18 ERAL BY CERTAIN MUNICIPALITIES.—Notwithstanding
19 subsection (a) of this section, municipalities whose popu-
20 lation exceeds 100,000 may submit an application for a
21 grant under this part directly to the Attorney General. For
22 purposes of this subsection, ‘municipalities whose popu-
23 lation exceeds 100,000’ means units of local government
24 or law enforcement agencies having jurisdiction over areas
25 with populations exceeding 100,000, and consortia or as-

1 sociations that include one or more such units of local gov-
2 ernment or law enforcement agencies.

3 “(d) DIRECT APPLICATION TO THE ATTORNEY GEN-
4 ERAL BY OTHER APPLICANTS.—Notwithstanding sub-
5 section (a) of this section, if a State chooses not to carry
6 out the functions described in subsection (b) of this sec-
7 tion, an applicant in the State may submit an application
8 for a grant under this part directly to the Attorney Gen-
9 eral.

10 **“SEC. 1704. RENEWAL OF GRANTS.**

11 “(a) IN GENERAL.—Except for grants made for hir-
12 ing or rehiring additional career law enforcement officers,
13 a grant under this part may be renewed for up to two
14 additional years after the first fiscal year during which
15 a recipient receives its initial grant if the Attorney General
16 determines that the funds made available to the recipient
17 were used in a manner required under an approved appli-
18 cation and if the recipient can demonstrate significant
19 progress in achieving the objectives of the initial applica-
20 tion.

21 “(b) GRANTS FOR HIRING.—Grants made for hiring
22 or rehiring additional career law enforcement officers may
23 be renewed for up to five years, subject to the require-
24 ments of subsection (a) of this section, but notwithstand-

1 ing the limitation in that subsection concerning the num-
2 ber of years for which grants may be renewed.

3 “(c) MULTI-YEAR GRANTS.—A grant for a period ex-
4 ceeding one year may be renewed as provided in this sec-
5 tion, except that the total duration of such a grant includ-
6 ing any renewals may not exceed three years, or six years
7 if it is a grant made for hiring or rehiring additional ca-
8 reer law enforcement officers.

9 **“SEC. 1705. LIMITATION ON USE OF FUNDS.**

10 “(a) NON-SUPPLANTING REQUIREMENT.—Funds
11 made available under this part to States or units of local
12 government shall not be used to supplant State or local
13 funds, but will be used to increase the amount of funds
14 that would, in the absence of Federal funds, be made
15 available from State or local sources.

16 “(b) ADMINISTRATIVE COSTS.—No more than 5 per-
17 cent of the funds available under this part may be used
18 for the costs of States in carrying out the functions de-
19 scribed in section 1703(b) or other administrative costs.

20 “(c) NON-FEDERAL COSTS.—States and units of
21 local government may use assets received through the as-
22 sets forfeiture equitable sharing program to cover the non-
23 Federal portion of programs, projects, and activities fund-
24 ed under this part.

1 “(d) **HIRING COSTS.**—Funding provided under this
2 part for hiring or rehiring a career law enforcement officer
3 may not exceed \$75,000, unless the Attorney General
4 grants a waiver from this limitation.

5 **“SEC. 1706. PERFORMANCE EVALUATION.**

6 “(a) **EVALUATION COMPONENTS.**—

7 “(1) Each program, project, or activity funded
8 under this part shall contain an evaluation compo-
9 nent, developed pursuant to guidelines established by
10 the Attorney General.

11 “(2) The evaluations required by paragraph (1)
12 shall include outcome measures that can be used to
13 determine the effectiveness of the funded programs,
14 projects, activities and a description of the geo-
15 graphic dispersion, and racial, ethnic, and gender di-
16 versity of rehired and new employees. Outcome
17 measures may include crime and victimization indi-
18 cators, quality of life measures, community percep-
19 tions, and police perceptions of their own work.

20 “(b) **PERIODIC REVIEW AND REPORTS.**—The Attor-
21 ney General shall review the performance of each grant
22 recipient under this part. The Attorney General may re-
23 quire a grant recipient to submit to the Attorney General
24 the results of the evaluations required under subsection
25 (a) and such other data and information as the Attorney

1 General deems reasonably necessary to carry out the re-
2 sponsibilities under this subsection.

3 **“SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.**

4 “If the Attorney General determines, as a result of
5 the reviews required by section 1706 of this part, or other-
6 wise, that a grant recipient under this part is not in sub-
7 stantial compliance with the terms and requirements of
8 an approved grant application submitted under section
9 1702 of this part, the Attorney General may revoke or
10 suspend funding of that grant, in whole or in part.

11 **“SEC. 1708. ACCESS TO DOCUMENTS.**

12 “(a) BY THE ATTORNEY GENERAL.—The Attorney
13 General shall have access for the purpose of audit and ex-
14 amination to any pertinent books, documents, papers, or
15 records of a grant recipient under this part, as well as
16 the pertinent books, documents, papers, or records of
17 States and units of local government, persons, businesses,
18 and other entities that are involved in programs, projects,
19 or activities for which assistance is provided under this
20 part.

21 “(b) BY THE COMPTROLLER GENERAL.—The provi-
22 sions of subsection (a) of this section shall also apply with
23 respect to audits and examinations conducted by the
24 Comptroller General of the United States or by an author-
25 ized representative of the Comptroller General.

1 **“SEC. 1709. GENERAL REGULATORY AUTHORITY.**

2 “The Attorney General is authorized to promulgate
3 regulations and guidelines to carry out this part.

4 **“SEC. 1710. DEFINITION.**

5 “For the purposes of this part, the term ‘career law
6 enforcement officer’ means a person hired on a permanent
7 basis who is authorized by law or by a State or local public
8 agency to engage in or supervise the prevention, detection,
9 or investigation of violations of criminal laws.”.

10 (b) TECHNICAL AMENDMENT.—The table of contents
11 of title I of the Omnibus Crime Control and Safe Streets
12 Act of 1968 (42 U.S.C. 3711, et seq.) is amended by strik-
13 ing the material relating to part Q and inserting the fol-
14 lowing:

“PART Q—PUBLIC SAFETY AND COMMUNITY POLICING; ‘COPS ON THE
BEAT’

“Sec. 1701. Authority to make public safety and community policing grants.
“Sec. 1702. Applications.
“Sec. 1703. Review of applications by State office.
“Sec. 1704. Renewal of grants.
“Sec. 1705. Limitation on use of funds.
“Sec. 1706. Performance evaluation.
“Sec. 1707. Revocation or suspension of funding.
“Sec. 1708. Access to documents.
“Sec. 1709. General regulatory authority.
“Sec. 1710. Definition.

“PART R—TRANSITION—EFFECTIVE DATE—REPEALER

“Sec. 1801. Continuation of rules, authorities and proceedings.”.

15 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AUTHORIZATION.—Section 1001(a) of title I of
17 the Omnibus Crime Control and Safe Streets Act of 1968
18 (42 U.S.C. 3793) is amended—

1 (1) in paragraph (3) by striking “and O.” and
2 inserting “O, P, and Q.”; and

3 (2) by adding at the end the following:

4 “(11)(A) There are authorized to be appropriated to
5 carry out part Q, to remain available until expended,
6 \$200,000,000 for fiscal year 1994 and \$650,000,000 for
7 each of the fiscal years 1995, 1996, 1997, 1998, and
8 1999.

9 “(B) Of funds available under part Q in any fiscal
10 year, up to 5 percent may be used for technical assistance
11 under section 1701(e) or for evaluations or studies carried
12 out or commissioned by the Attorney General in further-
13 ance of the purposes of part Q, and up to 5 percent may
14 be used for the costs of States in carrying out the func-
15 tions described in section 1703(b) or other administrative
16 costs. Of the remaining funds, 50 percent shall be allo-
17 cated for grants pursuant to applications submitted as
18 provided in section 1703(a) or (d), and 50 percent shall
19 be allocated for grants pursuant to applications submitted
20 as provided in section 1703(c). Of the funds available in
21 relation to grants pursuant to applications submitted as
22 provided in section 1703(a) or (d), at least 85 percent
23 shall be applied to grants for the purposes specified in sec-
24 tion 1701(b), and no more than 15 percent may be applied
25 to other grants in furtherance of the purposes of part Q.

1 Of the funds available in relation to grants pursuant to
2 applications submitted as provided in section 1703(c), at
3 least 85 percent shall be applied to grants for the purposes
4 specified in section 1701(b), and no more than 15 percent
5 may be applied to other grants in furtherance of the pur-
6 poses of part Q.

7 “(C) Notwithstanding the provisions of section 1703,
8 no funds allocated for grants pursuant to applications sub-
9 mitted as provided under subsections (a) or (d) of section
10 1703 shall be allocated for grants to a municipality (as
11 defined in section 1703(c)).”.

Passed the House of Representatives November 3,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.